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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/014,076	01/27/1998	MAX A. FEDOR	D-1056	4092

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EXAMINER

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ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.: 09/014076
Art Unit: 3653

The reply brief filed 4/05/03 has been entered and considered.

Upon review of applicant's argument of the claim groupings of page 2, the Office concurs that claims 32 and 33 and that claims 50-51 and 53 with respect to the rejections evidenced by Pearson alone or separately rise and fall separately.

Regarding applicant's allegation of redacting matter from Pearson '029 to Pearson 232, Pearson '232 expressly incorporated all of Pearson '029 by reference so no matter was redacted.


Regarding applicant's remarks on page 4 concerning no anticipatory rejection with respect to Pearson '029 in the action, applicant did not notify the Office of an ability to antedate claim 38 to an intervening date between Pearson '232 and Pearson '029 prior to the first action.

The remaining arguments were previously addressed and are still deemed unpersuasive.

The application is being forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Michael E. Butler

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